

EXHIBIT D

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 07-61542-CIV-UNGARO**

***IN RE* BANKATLANTIC BANCORP, INC.
SECURITIES LITIGATION**

Verdict Form

Part I

(October 19, 2006 through April 25, 2007)

Question I(A): With respect to Statements Nos. 1– 6, which allegedly were made between October 19, 2006 and April 25, 2007, do you find that any of the Defendants violated Section 10(b)?

Yes ✓

No

If the answer to Question I(A) is “no,” please skip to Part II on page 18.

If the answer to Question I(A) is “yes,” please proceed to Question 1(a).

Question 1(a): With respect to Statement 1, do you find that James White (and therefore Bancorp) violated Section 10(b)?

Yes _____

No ☒

If you answered "no" to Question 1(a), please skip to Question 2(a). If you answered "yes," please proceed to Question 1(b).

Question 1(b): Do you find that James White acted knowingly with respect to that statement?

Yes _____

No _____

Please proceed to Question 1(c).

Question 1(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan: Yes _____ No _____

John Abdo: Yes _____ No _____

Jarett Levan: Yes _____ No _____

James White: Yes _____ No _____

If you answered "no" for every Defendant, please skip to Question 2(a). If you answered "yes" for any Defendant, please proceed to Question 1(d).

Question 1(d): For each Defendant for whom you answered "yes" in Question 1(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan: Yes _____ No _____

John Abdo: Yes _____ No _____

Jarett Levan: Yes _____ No _____

James White: Yes _____ No _____

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 2(a). If you answered "no" for any Defendant, please proceed to Question 1(e).

Question 1(e) For each Defendant for whom you answered “no” in Question 1(d), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

Please proceed to Question 1(f).

Question 1(f) For each Defendant for whom you answered “no” to Question 1(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered “no” to Question 1(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer “no” to Question 1(d).

Alan Levan:	____%
John Abdo:	____%
Jarett Levan:	____%
James White:	____%
Total	100%

Please proceed to Question 2(a).

Question 2(a): With respect to Statement 2, do you find that James White (and therefore Bancorp) violated Section 10(b)?

Yes ☒ No ☐

If you answered "no" to Question 2(a), please skip to Question 3(a). If you answered "yes," please proceed to Question 2(b).

Question 2(b): Do you find that James White acted knowingly with respect to that statement?

Yes ☒ No ☐

Please proceed to Question 2(c).

Question 2(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
James White:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

If you answered "no" for every Defendant, please skip to Question 3(a). If you answered "yes" for any Defendant, please proceed to Question 2(d).

Question 2(d): For each Defendant for whom you answered "yes" in Question 2(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
James White:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 3(a). If you answered "no" for any Defendant, please proceed to Question 2(e).

Question 2(e) For each Defendant for whom you answered "no" in Question 2(d), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

Please proceed to Question 2(f).

Question 2(f) For each Defendant for whom you answered "no" to Question 2(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 2(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 2(d).

Alan Levan:	____%
John Abdo:	____%
Jarett Levan:	____%
James White:	____%
Total	100%

Please proceed to Question 3(a).

Question 3(a): With respect to Statement 3, do you find that either of the following Defendants (and therefore Bancorp) violated Section 10(b)?

Alan Levan: Yes _____ No ☒

James White: Yes _____ No ☒

If you answered "no" as to both Defendants in Question 3(a), please skip to Question 4(a). If you answered "yes" as to either Defendant, please proceed to Question 3(b).

Question 3(b): For each Defendant for whom you answered "Yes" to Question 3(a), do you find that such Defendant acted knowingly with respect to that statement?

Alan Levan: Yes _____ No _____

James White: Yes _____ No _____

Please proceed to Question 3(c).

Question 3(c): For each Defendant for whom you answered "yes" to Question 3(a), please list below the percentage of responsibility that Defendant bears for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "yes" to Question 3(a) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you answered "no" to Question 3(a).

Alan Levan: _____ %

James White: _____ %

Total 100%

Please proceed to Question 3(d).

Question 3(d): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

If you answered "no" for every Defendant, please skip to Question 4(a). If you answered "yes" for any Defendant, please proceed to Question 3(e).

Question 3(e): For each Defendant for whom you answered "yes" in Question 3(d), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 4(a). If you answered "no" for any Defendant, please proceed to Question 3(f).

Question 3(f) For each Defendant for whom you answered "no" in Question 3(e), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

Please proceed to Question 3(g).

Question 3(g) For each Defendant for whom you answered "no" to Question 3(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 3(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 3(e).

Alan Levan:	____%
John Abdo:	____%
Jarett Levan:	____%
James White:	____%
Total	100%

Please proceed to Question 4(a).

Question 4(a): With respect to Statement 4, do you find that Jarett Levan (and therefore Bancorp) knowingly violated Section 10(b)?

Yes ☒ No ☐

If you answered "no" to Question 4(a), please skip to Question 5(a). If you answered "yes," please proceed to Question 4(b).

Question 4(b): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Jarett Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
James White:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If you answered "no" for every Defendant, please skip to Question 5(a). If you answered "yes" for any Defendant, please proceed to Question 4(c).

Question 4(c): For each Defendant for whom you answered "yes" in Question 4(b), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Jarett Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
James White:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 5(a). If you answered "no" for any Defendant, please proceed to Question 4(d).

Question 4(d) For each Defendant for whom you answered "no" in Question 4(c), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes _____	No _____
John Abdo:	Yes _____	No _____
Jarett Levan:	Yes _____	No _____
James White:	Yes _____	No _____

Please proceed to Question 4(e).

Question 4(e) For each Defendant for whom you answered "no" to Question 4(c), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 4(c) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 4(c).

Alan Levan:	_____ %
John Abdo:	_____ %
Jarett Levan:	_____ %
James White:	_____ %
Total	100%

Please proceed to Question 5(a).

Question 5(a): With respect to Statement 5, do you find that Alan Levan (and therefore Bancorp) violated Section 10(b)?

Yes _____

No ☒

If you answered "no" to Question 5(a), please skip to Question 6(a). If you answered "yes," please proceed to Question 5(b).

Question 5(b): Do you find that Alan Levan acted knowingly with respect to that statement?

Yes _____

No _____

Please proceed to Question 5(c).

Question 5(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes _____	No _____
John Abdo:	Yes _____	No _____
Jarett Levan:	Yes _____	No _____
James White:	Yes _____	No _____

If you answered "no" for every Defendant, please skip to Question 6(a). If you answered "yes" for any Defendant, please proceed to Question 5(d).

Question 5(d): For each Defendant for whom you answered "yes" in Question 5(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes _____	No _____
John Abdo:	Yes _____	No _____
Jarett Levan:	Yes _____	No _____
James White:	Yes _____	No _____

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 6(a). If you answered "no" for any Defendant, please proceed to Question 5(e).

Question 5(e) For each Defendant for whom you answered "no" in Question 5(d), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes _____	No _____
John Abdo:	Yes _____	No _____
Jarett Levan:	Yes _____	No _____
James White:	Yes _____	No _____

Please proceed to Question 5(f).

Question 5(f) For each Defendant for whom you answered "no" to Question 5(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 5(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 5(d).

Alan Levan:	_____ %
John Abdo:	_____ %
Jarett Levan:	_____ %
James White:	_____ %
Total	100%

Please proceed to Question 6(a).

Question 6(a): With respect to Statement 6, do you find that any of the following Defendants (and therefore Bancorp) violated Section 10(b)?

John Abdo:	Yes <u>✓</u>	No <u> </u>
James White:	Yes <u>✓</u>	No <u> </u>
Jarett Levan:	Yes <u>✓</u>	No <u> </u>
Alan Levan:	Yes <u>✓</u>	No <u> </u>

If you answered "no" as to all Defendants in Question 6(a), please skip to Question I(B) on page 17. If you answered "yes" as to any Defendant, please proceed to Question 6(b).

Question 6(b): For each Defendant for whom you answered "Yes" to Question 6(a), do you find that such Defendant acted knowingly with respect to that statement?

John Abdo:	Yes <u>✓</u>	No <u> </u>
James White:	Yes <u>✓</u>	No <u> </u>
Jarett Levan:	Yes <u>✓</u>	No <u> </u>
Alan Levan:	Yes <u>✓</u>	No <u> </u>

Please proceed to Question 6(c).

Question 6(c): For each Defendant for whom you answered "yes" to Question 6(a), please list below the percentage of responsibility that Defendant bears for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "yes" to Question 6(a) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you answered "no" to Question 6(a).

John Abdo:	<u>5</u> %
James White:	<u>45</u> %
Jarett Levan:	<u>5</u> %
Alan Levan:	<u>45</u> %
Total	100%

Please proceed to Question 6(d).

Question 6(d): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
James White:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

If you answered "no" for every Defendant, please skip to Question I(B) on page 17. If you answered "yes" for any Defendant, please proceed to Question 6(e).

Question 6(e): For each Defendant for whom you answered "yes" in Question 6(d), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
James White:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question I(B) on page 17. If you answered "no" for any Defendant, please proceed to Question 6(f).

Question 6(f) For each Defendant for whom you answered "no" in Question 6(e), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
James White:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Please proceed to Question 6(g).

Question 6(g) For each Defendant for whom you answered “no” to Question 6(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered “no” to Question 6(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer “no” to Question 6(e).

Alan Levan:	____%
John Abdo:	____%
Jarett Levan:	____%
James White:	____%
Total	100%

Please proceed to Question I(B) on page 17.

Question 1(B): What is the amount of damages per share proximately caused by the first Section 10(b) violation you found during the period from October 19, 2006 through April 25, 2007?

\$ 0 per share

Please proceed to Part II on page 18.

PART II

(April 26, 2007 through October 26, 2007)

Question II(A): With respect to Statements Nos. 7– 19, which allegedly were made between April 26, 2007 and October 26, 2007, do you find that any of the Defendants violated Section 10(b)?

Yes ☒ No ☐

If the answer to Question II(A) is “no,” please skip to the end and sign and date the Verdict Form on page 50.

If the answer to Question II(A) is “ yes,” please proceed to Question 7(a).

Question 7(a): With respect to Statement 7, do you find that Alan Levan (and therefore Bancorp) violated Section 10(b)?

Yes ☒ No ☐

If you answered "no" to Question 7(a), please skip to Question 8(a). If you answered "yes," please proceed to Question 7(b).

Question 7(b): Do you find that Alan Levan acted knowingly with respect to that statement?

Yes ☒ No ☐

Please proceed to Question 7(c).

Question 7(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
James White:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If you answered "no" for every Defendant, please skip to Question 8(a). If you answered "yes" for any Defendant, please proceed to Question 7(d).

Question 7(d): For each Defendant for whom you answered "yes" in Question 7(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
James White:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 8(a). If you answered "no" for any Defendant, please proceed to Question 7(e).

Question 7(e) For each Defendant for whom you answered "no" in Question 7(d), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes _____	No _____
John Abdo:	Yes _____	No _____
Jarett Levan:	Yes _____	No _____
James White:	Yes _____	No _____

Please proceed to Question 7(f).

Question 7(f) For each Defendant for whom you answered "no" to Question 7(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 7(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 7(d).

Alan Levan:	_____ %
John Abdo:	_____ %
Jarett Levan:	_____ %
James White:	_____ %
Total	100%

Please proceed to Question 8(a).

Question 8(a): With respect to Statement 8, do you find that Alan Levan (and therefore Bancorp) violated Section 10(b)?

Yes ____

No ☒

If you answered "no" to Question 8(a), please skip to Question 9(a). If you answered "yes," please proceed to Question 8(b).

Question 8(b): Do you find that Alan Levan acted knowingly with respect to that statement?

Yes ____

No ____

Please proceed to Question 8(c).

Question 8(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

If you answered "no" for every Defendant, please skip to Question 9(a). If you answered "yes" for any Defendant, please proceed to Question 8(d).

Question 8(d): For each Defendant for whom you answered "yes" in Question 8(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 9(a). If you answered "no" for any Defendant, please proceed to Question 8(e).

Question 8(e) For each Defendant for whom you answered "no" in Question 8(d), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes _____	No _____
John Abdo:	Yes _____	No _____
Jarett Levan:	Yes _____	No _____
James White:	Yes _____	No _____

Please proceed to Question 8(f).

Question 8(f) For each Defendant for whom you answered "no" to Question 8(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 8(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 8(d).

Alan Levan:	_____ %
John Abdo:	_____ %
Jarett Levan:	_____ %
James White:	_____ %
Total	100%

Please proceed to Question 9(a).

Question 9(a): With respect to Statement 9, do you find that Alan Levan (and therefore Bancorp) violated Section 10(b)?

Yes ____ No ☒

If you answered "no" to Question 9(a), please skip to Question 10(a). If you answered "yes," please proceed to Question 9(b).

Question 9(b): Do you find that Alan Levan acted knowingly with respect to that statement?

Yes ____ No ____

Please proceed to Question 9(c).

Question 9(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

If you answered "no" for every Defendant, please skip to Question 10(a). If you answered "yes" for any Defendant, please proceed to Question 9(d).

Question 9(d): For each Defendant for whom you answered "yes" in Question 9(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 10(a). If you answered "no" for any Defendant, please proceed to Question 9(e).

Question 9(e) For each Defendant for whom you answered “no” in Question 9(d), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

Please proceed to Question 9(f).

Question 9(f) For each Defendant for whom you answered “no” to Question 9(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered “no” to Question 9(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer “no” to Question 9(d).

Alan Levan:	____%
John Abdo:	____%
Jarett Levan:	____%
James White:	____%
Total	100%

Please proceed to Question 10(a).

Question 10(a): With respect to Statement 10, do you find that Alan Levan (and therefore Bancorp) violated Section 10(b)?

Yes ☒ No ☐

If you answered "no" to Question 10(a), please skip to Question 11(a). If you answered "yes," please proceed to Question 10(b).

Question 10(b): Do you find that Alan Levan acted knowingly with respect to that statement?

Yes ☒ No ☐

Please proceed to Question 10(c).

Question 10(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
James White:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If you answered "no" for every Defendant, please skip to Question 11(a). If you answered "yes" for any Defendant, please proceed to Question 10(d).

Question 10(d): For each Defendant for whom you answered "yes" in Question 10(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
James White:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 11(a). If you answered "no" for any Defendant, please proceed to Question 10(e).

Question 10(e) For each Defendant for whom you answered "no" in Question 10(d), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
James White:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Please proceed to Question 10(f).

Question 10(f) For each Defendant for whom you answered "no" to Question 10(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 10(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 10(d).

Alan Levan:	<u>100</u> %
John Abdo:	____%
Jarett Levan:	____%
James White:	____%
Total	100%

Please proceed to Question 11(a).

Question 11(a): With respect to Statement 11, do you find that either of the following Defendants (and therefore Bancorp) violated Section 10(b)?

Alan Levan:

Yes _____

No ☒

James White:

Yes _____

No ☒

If you answered "no" as to both Defendants in Question 11(a), please skip to Question 12(a). If you answered "yes" as to either defendant, please proceed to Question 11(b).

Question 11(b): For each Defendant for whom you answered "Yes" to Question 11(a), do you find that such Defendant acted knowingly with respect to that statement?

Alan Levan:

Yes _____

No _____

James White:

Yes _____

No _____

Please proceed to Question 11(c).

Question 11(c): For each Defendant for whom you answered "yes" to Question 11(a), please list below the percentage of responsibility that Defendant bears for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "yes" to Question 11(a) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you answered "no" to Question 11(a).

Alan Levan:

_____ %

James White:

_____ %

Total

100%

Please proceed to Question 11(d).

Question 11(d): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

If you answered "no" for every Defendant, please skip to Question 12(a). If you answered "yes" for any Defendant, please proceed to Question 11(e).

Question 11(e): For each Defendant for whom you answered "yes" in Question 11(d), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 12(a). If you answered "no" for any Defendant, please proceed to Question 11(f).

Question 11(f) For each Defendant for whom you answered "no" in Question 11(e), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

Please proceed to Question 11(g).

Question 11(g) For each Defendant for whom you answered “no” to Question 11(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered “no” to Question 11(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer “no” to Question 11(e).

Alan Levan:	____%
John Abdo:	____%
Jarett Levan:	____%
James White:	____%
Total	100%

Please proceed to Question 12(a).

Question 12(a): With respect to Statement 12, do you find that either of the following Defendants (and therefore Bancorp) violated Section 10(b)?

Alan Levan: Yes _____ No ☒
 James White: Yes _____ No ☒

If you answered "no" as to both Defendants in Question 12(a), please skip to Question 13(a). If you answered "yes" as to either defendant, please proceed to Question 12(b).

Question 12(b): For each Defendant for whom you answered "Yes" to Question 12(a), do you find that such Defendant acted knowingly with respect to that statement?

Alan Levan: Yes _____ No _____
 James White: Yes _____ No _____

Please proceed to Question 12(c).

Question 12(c): For each Defendant for whom you answered "yes" to Question 12(a), please list below the percentage of responsibility that Defendant bears for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "yes" to Question 12(a) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you answered "no" to Question 12(a).

Alan Levan: _____ %
 James White: _____ %
 Total 100%

Please proceed to Question 12(d).

Question 12(d): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

If you answered "no" for every Defendant, please skip to Question 13(a). If you answered "yes" for any Defendant, please proceed to Question 12(e).

Question 12(e): For each Defendant for whom you answered "yes" in Question 12(d), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 13(a). If you answered "no" for any Defendant, please proceed to Question 12(f).

Question 12(f) For each Defendant for whom you answered "no" in Question 12(e), do you find that such Defendant acted knowingly in his capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
James White:	Yes ____	No ____

Please proceed to Question 12(g).

Question 12(g) For each Defendant for whom you answered “no” to Question 12(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered “no” to Question 12(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer “no” to Question 12(e).

Alan Levan:	____%
John Abdo:	____%
Jarett Levan:	____%
James White:	____%
Total	100%

Please proceed to Question 13(a).

Question 13(a): With respect to Statement 13, do you find that Alan Levan (and therefore Bancorp) violated Section 10(b)?

Yes ☒ No ☐

If you answered "no" to Question 13(a), please skip to Question 14(a). If you answered "yes," please proceed to Question 13(b).

Question 13(b): Do you find that Alan Levan acted knowingly with respect to that statement?

Yes ☒ No ☐

Please proceed to Question 13(c).

Question 13(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If you answered "no" for every Defendant, please skip to Question 14(a). If you answered "yes" for any Defendant, please proceed to Question 13(d).

Question 13(d): For each Defendant for whom you answered "yes" in Question 13(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 14(a). If you answered "no" for any Defendant, please proceed to Question 13(e).

Question 13(e) For each Defendant for whom you answered "no" in Question 13(d), do you find that such Defendant acted knowingly in his/her capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Please proceed to Question 13(f).

Question 13(f) For each Defendant for whom you answered "no" to Question 13(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 13(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 13(d).

Alan Levan:	<u>100</u> %
John Abdo:	____ %
Jarett Levan:	____ %
Valerie Toalson:	____ %
Total	100%

Please proceed to Question 14(a).

Question 14(a): With respect to Statement 14, do you find that Alan Levan (and therefore Bancorp) violated Section 10(b)?

Yes ☒ No ☐

If you answered "no" to Question 15(a), please skip to Question 14(a). If you answered "yes," please proceed to Question 14(b).

Question 14(b): Do you find that Alan Levan acted knowingly with respect to that statement?

Yes ☒ No ☐

Please proceed to Question 14(c).

Question 14(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If you answered "no" for every Defendant, please skip to Question 15(a). If you answered "yes" for any Defendant, please proceed to Question 14(d).

Question 14(d): For each Defendant for whom you answered "yes" in Question 14(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 15(a). If you answered "no" for any Defendant, please proceed to Question 14(e).

Question 14(e) For each Defendant for whom you answered "no" in Question 14(d), do you find that such Defendant acted knowingly in his/her capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Please proceed to Question 14(f).

Question 14(f) For each Defendant for whom you answered "no" to Question 14(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 14(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 14(d).

Alan Levan:	<u>100</u> %
John Abdo:	____%
Jarett Levan:	____%
Valerie Toalson:	____%
Total	100%

Please proceed to Question 15(a).

Question 15(a): With respect to Statement 15, do you find that Alan Levan (and therefore Bancorp) violated Section 10(b)?

Yes ☒ No ☐

If you answered "no" to Question 15(a), please skip to Question 16(a). If you answered "yes," please proceed to Question 15(b).

Question 15(b): Do you find that Alan Levan acted knowingly with respect to that statement?

Yes ☒ No ☐

Please proceed to Question 15(c).

Question 15(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered "no" for every Defendant, please skip to Question 16(a). If you answered "yes" for any Defendant, please proceed to Question 15(d).

Question 15(d): For each Defendant for whom you answered "yes" in Question 15(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 16(a). If you answered "no" for any Defendant, please proceed to Question 15(e).

Question 15(e) For each Defendant for whom you answered "no" in Question 15(d), do you find that such Defendant acted knowingly in his/her capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes _____	No _____
John Abdo:	Yes _____	No _____
Jarett Levan:	Yes _____	No _____
Valerie Toalson:	Yes _____	No _____

Please proceed to Question 15(f).

Question 15(f) For each Defendant for whom you answered "no" to Question 15(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 15(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 15(d).

Alan Levan:	_____ %
John Abdo:	_____ %
Jarett Levan:	_____ %
Valerie Toalson:	_____ %
Total	100%

Please proceed to Question 16(a).

Question 16(a): With respect to Statement 16, do you find that Alan Levan (and therefore Bancorp) violated Section 10(b)?

Yes ☒ No ☐

If you answered "no" to Question 16(a), please skip to Question 17(a). If you answered "yes," please proceed to Question 16(b).

Question 16(b): Do you find that Alan Levan acted knowingly with respect to that statement?

Yes ☒ No ☐

Please proceed to Question 16(c).

Question 16(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered "no" for every Defendant, please skip to Question 17(a). If you answered "yes" for any Defendant, please proceed to Question 16(d).

Question 16(d): For each Defendant for whom you answered "yes" in Question 16(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 17(a). If you answered "no" for any Defendant, please proceed to Question 16(e).

Question 16(e) For each Defendant for whom you answered "no" in Question 16(d), do you find that such Defendant acted knowingly in his/her capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Please proceed to Question 16(f).

Question 16(f) For each Defendant for whom you answered "no" to Question 16(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 16(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 16(d).

Alan Levan:	<u>100</u> %
John Abdo:	___ %
Jarett Levan:	___ %
Valerie Toalson:	___ %
Total	100%

Please proceed to Question 17(a).

Question 17(a): With respect to Statement 17, do you find that Alan Levan (and therefore Bancorp) violated Section 10(b)?

Yes ☒ No ☐

If you answered "no" to Question 17(a), please skip to Question 18(a). If you answered "yes," please proceed to Question 17(b).

Question 17(b): Do you find that Alan Levan acted knowingly with respect to that statement?

Yes ☒ No ☐

Please proceed to Question 17(c).

Question 17(c): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered "no" for every Defendant, please skip to Question 18(a). If you answered "yes" for any Defendant, please proceed to Question 17(d).

Question 17(d): For each Defendant for whom you answered "yes" in Question 17(c), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 18(a). If you answered "no" for any Defendant, please proceed to Question 17(e).

Question 17(e) For each Defendant for whom you answered "no" in Question 17(d), do you find that such Defendant acted knowingly in his/her capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Please proceed to Question 17(f).

Question 17(f) For each Defendant for whom you answered "no" to Question 17(d), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 17(d) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 17(d).

Alan Levan:	<u>100</u> %
John Abdo:	____%
Jarett Levan:	____%
Valerie Toalson:	____%
Total	100%

Please proceed to Question 18(a).

Question 18(a): With respect to Statement 18, do you find that either of the following Defendants (and therefore Bancorp) violated Section 10(b)?

Alan Levan: Yes _____ No ☒

Valerie Toalson: Yes _____ No ☒

If you answered "no" as to both Defendants in Question 18(a), please skip to Question 19(a). If you answered "yes" as to either defendant, please proceed to Question 18(b).

Question 18(b): For each Defendant for whom you answered "Yes" to Question 18(a), do you find that such Defendant acted knowingly with respect to that statement?

Alan Levan: Yes _____ No _____

Valerie Toalson: Yes _____ No _____

Please proceed to Question 18(c).

Question 18(c): For each Defendant for whom you answered "yes" to Question 18(a), please list below the percentage of responsibility that Defendant bears for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "yes" to Question 18(a) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you answered "no" to Question 18(a).

Alan Levan: _____ %

Valerie Toalson: _____ %

Total **100%**

Please proceed to Question 18(d).

Question 18(d): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
Valerie Toalson:	Yes ____	No ____

If you answered "no" for every Defendant, please skip to Question 19(a). If you answered "yes" for any Defendant, please proceed to Question 18(e).

Question 18(e): For each Defendant for whom you answered "yes" in Question 18(d), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
Valerie Toalson:	Yes ____	No ____

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question 19(a). If you answered "no" for any Defendant, please proceed to Question 18(f).

Question 18(f) For each Defendant for whom you answered "no" in Question 18(e), do you find that such Defendant acted knowingly in his/her capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes ____	No ____
John Abdo:	Yes ____	No ____
Jarett Levan:	Yes ____	No ____
Valerie Toalson:	Yes ____	No ____

Please proceed to Question 18(g).

Question 18(g) For each Defendant for whom you answered “no” to Question 18(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered “no” to Question 18(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer “no” to Question 18(e).

Alan Levan:	____%
John Abdo:	____%
Jarett Levan:	____%
Valerie Toalson:	____%
Total	100%

Please proceed to Question 19(a).

Question 19(a): With respect to Statement 19, do you find that either of the following Defendants (and therefore Bancorp) violated Section 10(b)?

Alan Levan: Yes ☒ No ☐
 Valerie Toalson: Yes ☒ No ☐

If you answered "no" as to both Defendants in Question 19(a), please skip to Question II(B) on page 49.
 If you answered "yes" as to either Defendant, please proceed to Question 19(b).

Question 19(b): For each Defendant for whom you answered "Yes" to Question 19(a), do you find that such Defendant acted knowingly with respect to that statement?

Alan Levan: Yes ☒ No ☐
 Valerie Toalson: Yes ☒ No ☐

Please proceed to Question 19(c).

Question 19(c): For each Defendant for whom you answered "yes" to Question 19(a), please list below the percentage of responsibility that Defendant bears for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "yes" to Question 19(a) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you answered "no" to Question 19(a).

Alan Levan:	<u>50</u> %
Valerie Toalson:	<u>50</u> %
Total	100%

Please proceed to Question 19(d).

Question 19(d): Do you find that any of the following Defendants were controlling persons of Bancorp under Section 20(a) with respect to that statement?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Valerie Toalson:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

If you answered "no" for every Defendant, please skip to Question II(B) on page 49. If you answered "yes" for any Defendant, please proceed to Question 19(e).

Question 19(e): For each Defendant for whom you answered "yes" in Question 19(d), do you find that such Defendant acted in good faith and did not directly or indirectly induce the Section 10(b) violation?

Alan Levan:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If you answered "yes" for every Defendant for whom an answer was required, please skip to Question II(B) on page 49. If you answered "no" for any Defendant, please proceed to Question 19(f).

Question 19(f) For each Defendant for whom you answered "no" in Question 19(e), do you find that such Defendant acted knowingly in his/her capacity as a controlling person with respect to the Section 10(b) violation?

Alan Levan:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John Abdo:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Jarett Levan:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Valerie Toalson:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Please proceed to Question 19(g).

Question 19(g) For each Defendant for whom you answered "no" to Question 19(e), please list below the percentage of responsibility that Defendant bears as a controlling person for the Section 10(b) violation. The total percentage for all Defendants for whom you answered "no" to Question 19(e) must add up to 100 percent. You cannot assign any percentage of responsibility to a Defendant for whom you did not answer "no" to Question 19(e).

Alan Levan:	<u>50</u> %
John Abdo:	___ %
Jarett Levan:	___ %
Valerie Toalson:	<u>50</u> %
Total	100%

Please proceed to Question II(B) on page 49.

Question II(B): What is the amount of damages per share proximately caused by the first Section 10(b) violation you found during the period from April 26, 2007 through October 26, 2007?

\$ 2.41 per share

Please sign and date the Verdict Form on page 50.

SO SAY WE ALL.

Dated: 11-18-10


Jury Foreperson

Once your foreperson has signed and dated the Verdict Form, please inform the Court Security Officer you have completed your deliberations and reached a unanimous verdict. He/she will then inform the Court that you are ready to announce your decision, and Judge Ungaro shortly will reconvene court for that purpose.

TABLE of Misstatements and Omissions Alleged by Plaintiffs

	Exhibit Page	Date	Description	Statements That Plaintiffs Contend Are Misrepresentations or Omit Material Facts
1.	DX 47 Page 7	10/19/06	Earnings Conference Call	Alleged against White and BankAtlantic Bancorp. There is really nothing significant to note on the credit quality front which in itself given the current real estate environment I think is a favorable commentary....
2.	DX 47 Page 7	10/19/06	Earnings Conference Call	Alleged against White and BankAtlantic Bancorp. You ought to also see some extension of takedown schedules from developers of lot loans across the entire market but in our situation and because of our insistence on hard equity in projects , we believe we're dealing with borrowers with staying power that will enable them to ride through this if indeed that trend does manifest.
3.	DX 48 Page 35	11/8/06	Third Quarter 2006 Form 10-Q	Alleged against White, Alan Levan and BankAtlantic Bancorp. The increase in non-performing assets primarily resulted from the transfer of a \$26.6 million land acquisition and development loan to a non-accruing status effective September 30, 2006 based on information that existed prior to September 30, 2006 and became available to BankAtlantic subsequent to that date. Among other issues, BankAtlantic has been advised by the borrower that contracts for sales of land parcels were terminated by third party buyers. BankAtlantic has requested an appraisal to measure the loan impairment based on the fair value of the collateral. To date, the appraisal has not been received and the amount of the required specific reserve, if any, has not been determined.
4.	PX 251	11/29/06	Friedman Billings Ramsey Investor Conference	Alleged against Jarett Levan and BankAtlantic Bancorp. [W]e see no trends that make us nervous. We're very comfortable with our borrowers.

	Exhibit Page	Date	Description	Statements That Plaintiffs Contend Are Misrepresentations or Omit Material Facts
5.	DX 49 Page 6	1/31/07	Press Release	<p>Alleged against Alan Levan and BankAtlantic Bancorp.</p> <p>Press Release quoting Alan Levan: We believe that our credit process has remained conservative and consistent with our practices over the past several years during which our credit experience was excellent.</p>
6.	DX 3 Page 16	3/1/07	2006 Form 10-K	<p>Alleged against Abdo, White, Jarett Levan, Alan Levan and BankAtlantic Bancorp.</p> <p>Included in the commercial real estate loans are approximately \$389 million of land development loans, which are susceptible to extended maturities or borrower default due to a slow-down in Florida construction activity, and \$95.1 million of development loans for low and mid-rise condominium projects in Florida, where there is an increasing supply of new construction in the face of falling demand.</p>
7.	DX 5 Page 4	4/26/07	Earnings Conference Call	<p>Alleged against Alan Levan and BankAtlantic Bancorp.</p> <p>In this particular non-accrual -- this \$19.6 million -- there's two loans in that bucket. One is approximately \$12.5 million; the other is approximately \$7.5 million. Both of these loans relate to what we call our land banking portfolio. And those very simply are loans that we made to land developers; people that buy land in anticipation of selling that land to national developers, national or local developers. Generally, at the time of the borrowing, the borrower or developer had contracts with builders to buy a significant or substantial portion of the property, which would have been used to pay down the loan in the normal course.</p>
8.	DX 5 Pages 6 and 8	4/26/07	Earnings Conference Call	<p>Alleged against Alan Levan and BankAtlantic Bancorp.</p> <p>But in an abundance of caution, and because there is so much interest in credit today, in</p>

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				portfolios, we've chosen to be extremely conservative in this entire portfolio and present this information as we know it.
9.	DX 5 Pages 22 and 24	4/26/07	Earnings Conference Call	<p>Alleged against Alan Levan and BankAtlantic Bancorp.</p> <p>We -- our entire commercial portfolio -- commercial real estate portfolio -- is about \$1.4 billion, \$1.5 billion. That's a portfolio that Jim has indicated, for the last four years, we've taken zero losses on. And for the last 10 or 15 or 20 years, our experience in that portfolio, I would say, has been excellent. So our credit standards and credit criteria have been pretty consistent across the board.</p> <p>This particular portfolio -- as best we can segment it -- is about \$140 million to \$160 million. And this particular portfolio is one, again, where you have a borrower who buys land, develops the land into finished lots, with the anticipation of selling it to, for the most part, national homebuilders, who sign option contracts to take down lots to deliver to homeowners. So --</p> <p>***</p> <p>...we're definitely seeing differences in the characteristics in the performance of the portfolio. The portfolios that are borrowers that are buying land for their own development -- those are proceeding in the normal course. We're not really seeing any difference in that portfolio than we've seen in the \$1.5 billion portfolio. That portfolio at one time was up close to \$2 billion. And we're not really seeing any difference in those characteristics as we've seen over the last 10 or 15 years.</p>

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10.	DX 5 Page 29	4/26/07	Earnings Conference Call	<p>Alleged against Alan Levan and BankAtlantic Bancorp.</p> <p>... I mean, the entire portfolio is \$1.4 billion, \$1.5 billion. If Valerie knows today, she'll tell you as soon as I stop talking, or we'll have to tell you off-line -- there's a certain designation. When we finance a land acquisition with the anticipation of a building going on that, it tends to get into this land portfolio. And it may re-characterize as we start to build. But lots of our portfolio is a construction portfolio that we're not in any way concerned about.</p>
11.	DX 6 Page 18	5/10/07	First Quarter 2007 Form 10-Q	<p>Alleged against Alan Levan, White and BankAtlantic Bancorp.</p> <p>The "builder land loan" segment discussed above is part of BankAtlantic's total commercial real estate acquisition and development portfolio of approximately \$562 million as of March 31, 2007. The loans other than the "builder land loans" in this category are generally secured by residential and commercial real estate which will be fully developed by the borrower or sold to third parties. These loans generally involve property with a longer investment and development horizon and are guaranteed by the borrower or individuals and/or secured by additional collateral such that it is expected that the borrower will have the ability to service the debt under current conditions for a longer period of time. Accordingly, management considers these other loans to be of relatively lower risk than the "builder land loans."</p>
12.	DX 6 Page 19	5/10/07	First Quarter 2007 Form 10-Q	<p>Alleged against Alan Levan, White and BankAtlantic Bancorp.</p> <p>"Total Potential Problem Loans" for the entire Bank as \$7,788,000.</p>
13.	DX 8 Page 20 and	7/25/07	Earnings Conference Call	<p>Alleged against Alan Levan and BankAtlantic Bancorp.</p> <p>There are no asset classes that we are</p>

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	PX 353 Page 10			concerned about in the portfolio as an asset class. We've reported all the delinquencies that we have, which actually I don't think are any other than the ones that we've just reported to you.
14.	DX 8 Page 20 <i>and</i> PX 353 Page 10	7/25/07	Earnings Conference Call	Alleged against Alan Levan and BankAtlantic Bancorp. So the portfolio has always performed extremely well, continues to perform extremely well.
15.	DX 8 Page 20 <i>and</i> PX 353 Page 10	7/25/07	Earnings Conference Call	Alleged against Alan Levan and BankAtlantic Bancorp. And that's not to say that from time to time there aren't some issues, as there always have even though we've never taken losses in that world. But we've not taken – I won't say ever taken any losses, because that's probably never going to be a correct statement. But that portfolio has performed extremely well.
16.	DX 8 Page 21 <i>and</i> PX 353 Page 10	7/25/07	Earnings Conference Call	Alleged against Alan Levan and BankAtlantic Bancorp. The one category that we just are focused on is this land loan builder portfolio, because just from one day to the next the entire home building industry went into a state of flux and turmoil, and is impacting that particular class. But to our knowledge and in just in thinking through, there are no particular asset classes that we're concerned about other than that one class.
17.	DX 8 Pages 32-33 <i>and</i> PX 353 Page 17- 18	7/25/07	Earnings Conference Call	Alleged against Alan Levan and BankAtlantic Bancorp. [Q: Brian Horey - Equity Growth Management (Aurelian) – Analyst - Okay. If I can just question you about the commercial portfolio for a second -- for the construction portion of that, which I think you said was 63% of the portfolio. Can you give us some sense of what the various delinquency buckets on that portion of the portfolio looks like at the end of June and how that's change since the beginning

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				<p>of the year?]</p> <p>I could be wrong, but I think it's zero. I don't think we have any delinquency in that portfolio -- in the entire portfolio.</p> <p>***</p> <p>Other than the non-accruals we've reported to you, there are no delinquencies in that portfolio. And again, I could be -- don't take it as an absolute. But I'm just telling you to date we have -- we do not have a concern about the balance of the portfolio.</p> <p>***</p> <p>Brian, we've confirmed that -- while we were talking, somebody checked and to our knowledge at this moment, we have no delinquencies in the balance of the portfolio -- in the commercial portfolio.</p>
18.	DX 9 Page 22	8/9/07	Second Quarter 2007 Form 10-Q	<p>Alleged against Alan Levan, Toalson and BankAtlantic Bancorp.</p> <p>The "builder land loan" segment discussed above is part of BankAtlantic's total commercial real estate acquisition and development portfolio of approximately \$537.0 million as of June 30, 2007. The loans other than the "builder land loans" in this category . . . management considers these other loans to be of relatively lower risk than the "builder land loans."</p>
19.	DX 9 Page 23	8/9/07	Second Quarter 2007 Form 10-Q	<p>Alleged against Alan Levan, Toalson and BankAtlantic Bancorp.</p> <p>"Total Potential Problem Loans" for the entire Bank as \$8,348,000.</p>